Remarks

I. Status

Claims 1-19, 25-41 and56-91 were pending. Applicants have cancelled these claims in favor of new claims 92-132.

Support for claims 92-95, 98, 101-104, 107, 117-120, and 127-130, can be found, *inter alia,* at paragraph 00112, at paragraph 00113 (Table 2), and at paragraph 00137 (Table 4). Claims 96 and 105 are supported, *inter alia*, at paragraph 00105, line 4. Claims 97 and 106 are supported, *inter alia*, at paragraph 00030, lines 10-14. Claims 99-100, 108-109, 121-122, and 131-132 are supported, *inter alia*, at paragraph 00141, lines 25-28. Claims 110 and 123 are supported, *inter alia*, at paragraph 00119, lines 18-23 and paragraph 0039. Claims 111 and 115-116 are supported, *inter alia*, at paragraphs 00043 and 00059. Claims 112 and 124 are supported, *inter alia*, at paragraph 00134, lines 6-9. Claims 113 and 125 are supported, *inter alia*, by claims 30 and 32, and paragraph 00166. Claim 126 is supported, *inter alia*, at paragraph 0062. Claim 114 is supported, *inter alia*, at paragraph 0064. No new matter has been added by any of the requested amendments, which are fully supported by the original claims and specification.

As the Examiner will note, Applicants have attempted to improve the readability of the claims by reorganizing the claimed residues and substitutions to be in numerical order, and to employ a conventional approach for describing substitutions. Accordingly, a substitution at an identified position ("###") with a specified amino acid ("AAx") was previously described using the terminology: "a substitution at ### with AAx," and is now described as "###X," where X is the one letter code for amino acid AAx. Thus, by way of example, "396L" is intended to be synonymous with the phrase "a substitution at position 396 with leucine." It is submitted that this change in terminology does not add new matter, and serves to greatly simplify comprehension of the claimed subject matter.

II. The Restriction Requirement

The Examiner has advised that the claims are directed to two patentably distinct species of claimed inventions:

Group A) at least one amino acid modification is not solely a substitution at positions 255, 258, 267, 269, 270, 276, 278, 280, 283, 285, 289, 292, 293, 294, 295, 296, 300, 303, 305, 307, 309, 322, 329, 331, 332, 337,338, 340, 373, 376, 416, 419, 434, 435, 437, 438, 439;

OR

Group B) does **not** have a lysine at position 330; a threonine at position 339; a methionine at position 320; a serine at position 326; an asparagine at position 326; an aspartic acid at position 326; a glutamic acid at position 326; a glutamine at position 334; a glutamic acid at position 334; a methionine at position 334; a histidine at position 334; a valine at position 334; or a leucine at position 334; a lysine at position 335, an asparagine at position 268; a glutamine at position 272; a glutamine, serine, or aspartic acid at position 286; a serine at position 290; a methionine, glutamine, glutamic acid, or arginine at position 320; a glutamic acid at position 322; a serine, glutamic acid, or aspartic acid at position 326; a lysine at position 330; a glutamine at position 335; or a methionine at position 301.

The Examiner has further advised that Applicants are required to elect a particular species embraced by such inventions.

III. Response to the Restriction Requirement

Applicants respectfully traverse and request reconsideration. It is respectfully submitted that Applicants' prior election constituted an election of presently proposed **Group A**. In this regard, Applicants submit that a substitution of leucine at position 396 **necessarily** requires that the claimed molecule satisfy the recitations of Group A (i.e., to

comprise "at least one amino acid modification [that] is not solely a substitution at positions 255, 258, 267, 269, 270, 276, 278, 280, 283, 285, 289, 292, 293, 294, 295, 296, 300, 303, 305, 307, 309, 322, 329, 331, 332, 337,338, 340, 373, 376, 416, 419, 434, 435, 437, 438, 439"). Moreover, Applicants' prior election of leucine at position 396 is submitted to have already provided a specific sequence (i.e., the wild-type IgG1 FcγRIIIA sequence having a modification at position 396 (the modification being the replacement of the endogenous residue with a leucine residue). Thus, it is submitted that Applicants have fully complied with the restriction requirement and with the Examiner's request for an elected species upon which to base an initial search of the art.

Thus, in sum, **Group A** has been elected, the claims have been amended to clarify that the recited polypeptides conjunctively satisfy the recitations of both Group A and Group B, and the Examiner is requested to initiate examination of the claims as to an embraced species having leucine at position 396 of the wild-type IgG1 FcγRIIIA sequence (i.e., "396L").

IV. Concluding Remarks

Applicants submit that the present response is complete and complies with the requirements of 35 U.S.C. §121. The Application is believed to be in condition for Examination and early notice of favorable action is respectfully requested. Should the Examiner have any remaining questions regarding the subject invention or its patentability, Applicants encourage the Examiner to contact the undersigned to answer such questions or provide any desired additional information.

Respectfully Submitted,

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